



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/299,724	04/27/1999	JONATHAN KAGLE	03797.78520	3637

28319 7590 07/16/2003

BANNER & WITCOFF LTD.,
ATTORNEYS FOR MICROSOFT
1001 G STREET, N.W.
ELEVENTH STREET
WASHINGTON, DC 20001-4597

EXAMINER

HUYNH, CONG LAC T

ART UNIT

PAPER NUMBER

2178

DATE MAILED: 07/16/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/299,724

Applicant(s)

KAGLE, JONATHAN

Examiner

Cong-Lac Huynh

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 May 2003 and 19 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-64 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-64 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 25 November 2002 is: a) ☒ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 13.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

Art Unit: 2178

DETAILED ACTION

1. This action is responsive to communications: RCE filed on 5/14/03 and the supplemental amendment filed 6/19/03 to the application filed on 04/27/99.
2. Claims 62-64 are added.
3. Claims 1-64 are pending in the case. Claims 1, 17, 23, 39, 45 are independent claims.
4. The rejections of claims 45-61 under 35 U.S.C. 112, first paragraph, as being indefinite have been withdrawn in view of the amendment.
5. The rejections of claims 1-61 under 35 U.S.C. 103 (a) as being unpatentable over Ferris (5,937,418) have been withdrawn in view of the amendment.

Specification

6. Applicant is required to cite any related applications (the co-pending application submitted in the IDS paper #6) on the first page of the specification.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2178

8. Claims 1-64 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jois et al. (US Pat No. 6,112,242, 8/29/00, filed 7/10/96) in view of Moore et al. (US Pat No. 6,330,575 B1, 12/11/01, filed 3/31/98).

Regarding independent claim 1, Jois discloses:

- selecting a predetermined region of a web page layout (figure 5: there are subtemplates for the predetermined regions of a web page layout; col 5, line 60 to col 6, line 34: each subtemplate for a predetermined region of the web page layout; the subtemplates for the predetermined regions of the web page suggests that for generating a composite web page, a selection of each of the predetermined regions should be performed for inserting data)

Jois does not disclose:

- selecting a style template for the predetermined region, the selected style template including at least one HTML code defining a style of the style template

Instead Jois discloses that each subtemplate includes template tags for describing how the data in the web page is presented (col 6, lines 14-34). It was well known that the HTML tags include information of the format or the style of the data for the page.

Moore discloses selecting a style template for the predetermined region (figure 7: selecting the *style template for the header*).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Moore into Jois since Moore provides selecting a style template for a header, which is a predetermined region of a web page and Jois suggests selecting a predetermined region of a web page and the HTML code for the

Art Unit: 2178

templates. The combination of Moore into Jois would give a user more choices in creating a web page by selecting a desired style for each portion with each associated subtemplate of the web page instead of following a predefined template for the whole web page.

Regarding claim 2, which is dependent on claim 1, Jois does not explicitly disclose that the predetermined region of the web page layout is a horizontal region spanning an entire width of the web page layout.

Instead, Jois discloses the subtemplate #410 is a title and table of content template (figures 4 and 5).

Moore discloses that the header of a page, which is equivalent to a title of the page, is on the top of the page where a user can select the image size to a large size (figure 7). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Moore into Jois to modify the position of the title to be on the top of the page instead of on the left side as in Jois and covering the entire width of the web page layout by changing the size of title.

Regarding claim 62, which is dependent on claim 1, Jois discloses uploading the web page layout to a server, the web page layout including at least one selected style template (figure 6, col 6, line 35 to col 7, line 34: the fact that the pages are formed according to the embedded program tags at the server inherently shows that the layout of the web page is uploaded to the server).

Art Unit: 2178

Regarding claim 3, which is dependent on claim 62, Jois discloses that:

- the selected style template includes a space for information that is related to the style of the style template (col 7, lines 6-25: the web page is generated based on the master template composed of the three subtemplates; it was well known that each template has the spaces for filling data related to the template)
- inserting the information related to the style of the template into the space before the step of uploading the web page layout (col 7, lines 6-25: inserting the contents of the web page into the templates)

Regarding claim 4, which is dependent on claim 3, Jois discloses that the information related to the style of the template is a title (figure 4, col 5, line 60 to col 6, line 34: one of the subtemplate is a title template).

Regarding claim 5, which is dependent on claim 3, Jois discloses that the information related to the style of the template is textual (col 5, line 60 to col 6, line 34: it was well known that data filled in a template is textual information).

Regarding claim 6, which is dependent on claim 3, Jois discloses that the information related to the style of the template includes hypertext link information (col 6, line 63 to col 7, line 25: it was well known that the contents of the templates can be hypertext link information).

Art Unit: 2178

Regarding claim 7, which is dependent on claim 3, Jois discloses that the information related to the style of the style template includes at least two of image information, graphical information, textual information, and audio information (col 5, line 60 to col 6, line 45: the template includes the title and the table of contents, which are text information, and also includes selection buttons or the "add" button, which are graphical information).

Regarding claim 8, which is dependent on claim 3, Jois discloses that the information related to the style of the style template is a pointer to a file containing information that is to be inserted into the selected template (col 7, lines 6-54: the fact that the contents of the subtemplates are inserted to generate the web page indicates that there is a pointer to a file containing data to be inserted into the templates).

Regarding claims 9 and 10, which are dependent on claim 8, Jois discloses that the file contains image information and graphical information (col 5, line 60 to col 6, line 45: the template includes the title and the table of contents, which are text information, and also includes selection buttons or the "add" button, which are graphical information).

Regarding claim 11, which is dependent on claim 8, Jois does not disclose explicitly that the file contains audio information. Instead, Jois discloses that a web page is capable of carrying multimedia information (col 4, lines 42-50).

Art Unit: 2178

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Jois to include the audio information since the multimedia information in the web page in Jois, which includes text, graphics, video, and audio data, suggests the audio information.

Regarding claim 12, which is dependent on claim 1, Jois discloses that the selected style template is one of a title template, a text template, an audio template, a picture template, a parallel column template and a navigational bar template (figures 4 and 5).

Regarding claim 13, which is dependent on claim 1, Jois does not disclose selecting a style template includes a step of selecting a graphical icon representing the style of the template.

Moore discloses selecting a graphical icon representing the style of the template (figure 9: the icons of text, image, or media are for selecting different styles for the template).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Moore into Jois to provide a visual tool for easily selecting an item.

Regarding claim 14, which is dependent on claim 1, Jois discloses concatenating a plurality of selected style templates to generate the web page layout (figure 5: arranging the templates included the master template to generate the web page layout).

Art Unit: 2178

Regarding claim 15, which is dependent on claim 1, Jois discloses recording the web page layout as a macro style template (figure 5: the master template, since including the subtemplates is considered as a macro template).

Regarding claim 16, which is dependent on claim 15, Jois discloses:

- selecting a macro style template (col 5, line 60 to col 6, line 34: the master template is selected for filling data for the subpages)
- inserting information related to the style of each style template forming the macro style template (col 5, line 60 to col 6, line 34: filling data to each subtemplate of the master template where each subtemplate has different style)
- uploading the web page layout to the server, the web page layout formed from the macro style template (col 8, lines 1-10)

Regarding independent claim 17, the claim includes the same limitations as in independent claim 1, and is rejected under the same rationale. The only exception is that instead of "a style template", the claim states "a macro style template."

Jois discloses the master template including the subtemplates, which is considered as the macro style template, to generate the web page (col 6, lines 14-24).

Claims 18-22 include the same limitations as in claims 2-3, 7-8, 12-13, and are rejected under the same rationale.

Art Unit: 2178

Independent claim 23 is for a computer-readable medium of claims 1 and 62, and therefore is rejected under the same rationale.

Claims 24-38 are for a computer-readable medium of claims 2-16, and therefore are rejected under the same rationale.

Claims 39-42 are for a computer-readable medium of claims 17-20, and therefore are rejected under the same rationale.

Claims 43-44 are for a computer-readable medium of claims 21-22, and therefore are rejected under the same rationale.

Regarding independent claim 45, Jois discloses:

- displaying a plurality of style templates on a display, each style template representing a layout style for a predetermined region of a web page layout (figures 4-5)

Jois does not explicitly:

- receiving a predetermined region selection signal indicative of a user interface selection device pointing at a selected predetermined region on the display
- receiving a style template selection signal indicative of the user interface selection device pointing at a selected style template on the display, the selected

Art Unit: 2178

style template associated with at least one HTML code defining a style of the style template

- displaying the style layout for the predetermined region of the web page layout in response to the received style template selection signal

Instead Jois discloses:

- selecting a subtemplate included in the master template for generating the web page layout (col 6, lines 14-34)
- each subtemplate for each region of the web page includes different styles of data where each template having HTML tags (col 7, lines 6-25)

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Jois to include the selection signal indicative of a user interface selection device on the display and the style template selection signal indicative of the user interface selection device for the following reason. The fact that Jois has the ability of selecting a predetermined region where each region has a different style selected for generating the web page inherently shows that there should be the selection signals of the selection actions when selecting the subtemplates of different styles.

Moore discloses selecting a style template for the predetermined region (figure 7: selecting the style template for the header).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Moore into Jois since Moore provides selecting a style template for a header, which is a predetermined region of a web page and Jois provides

Art Unit: 2178

the subtemplates of the predetermined regions of a web page for selecting. The combination of Moore into Jois would give a user more choices in creating a web page by selecting each separate portion of the page using subtemplates with desired style templates instead of following a predefined template for the whole page.

Regarding claim 46, which is dependent on claim 45, Jois discloses uploading the web page layout to a server in response to the uploading layout entry, the web page layout including at least one selected style template (figure 6, col 6, line 35 to col 7, line 34: the fact that the pages are formed according to the embedded program tags at the server inherently shows that the layout of the web page is uploaded to the server).

Jois does not disclose explicitly :

- displaying an uploading layout command selection on the display
- receiving an uploading layout entry selection signal indicative of the user interface device pointing at the uploading layout command selection

However, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Jois to include "displaying an uploading layout command ..." and "receiving an uploading layout entry ..." for the following reason. The fact that Jois has the ability of uploading the web page layout to the server suggests the display of an uploading layout command as well as the uploading layout entry selection signal since before uploading the web page, the uploading command should be selected, and so the uploading selection signal should be received upon the uploading selection action.

Claims 47-61 includes the same limitations as in claims 2-16, and are rejected under the same rationale.

Regarding claim 63, which is dependent on claim 1, Jois discloses:

- selecting a second predetermined region of the web page layout (figures 4 and 5: the three regions in the web page layout can be selected as a first, second, or third region of the web page)
- selecting a style template for the second predetermined region (figure 4: the style template for a region in the composite web page can be selected as a title and table of contents, an interactive invoice, or a catalog listing with user selection style)

Claim 64 includes the same limitation of claim 62, and is rejected under the same rationale.

Response to Arguments

9. Applicant's arguments with respect to claims 1-61 have been considered but are moot in view of the new ground(s) of rejection.

Applicants argue that Ferris does not disclose "selecting a predetermined region of a web page layout" (Remarks, pages 11-12).

Examiner agrees.

Art Unit: 2178

Ferris is withdrawn from the rejections.

Jois discloses "selecting a predetermined region of a web page layout" (figures 4-5, col 5, line 60 to col 6, line 34, col 7, lines 6-18). The fact that each subtemplate is for a predetermined region of the web page layout as seen on figures 4-5, and the contents of each subtemplate are inserted to generate each subpage inherently shows that *each predetermined region is selected* for each associated subtemplate for inserting data. In other words, selecting a predetermined region of a web page layout is performed.

Independent 45 recites "receiving a predetermined region selection signal *indicative of a user interface selection device pointing at a selected predetermined region on the display*" where said signal is merely the result of the selection action of a predetermined region. Claim 45, therefore, is rejected by the same reason above.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Freivald et al. (US Pat No. 5,898,836, 4/27/99, filed 1/14/97).

Taima et al. (US Pat No. 6,336,210 B1, 1/1/02, filed 2/26/99).

Ferrel et al. (US Pat No. 6,199,082 B1, 3/6/01, filed 7/17/95).


Art Unit: 2178

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cong-Lac Huynh whose telephone number is 703-305-0432. The examiner can normally be reached on Mon-Fri (8:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 703-308-5186. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 707-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-9000.

clh
7/10/03


HEATHER R. HERNDON
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100